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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,991	01/29/2004	Harsh Pramod Oke	135699	5008

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EXAMINER

LUU, CUONG V

ART UNIT PAPER NUMBER

2128

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/766,991

Applicant(s)

OKE, HARSH PRAMOD

Examiner

Cuong V. Luu

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-11,13-16,18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-11,13-16,18 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The Examiner would like to thank the Applicant for the well-presented response, which was useful in the examination. The Examiner appreciates the effort to perform a careful analysis and make appropriate amendments to the claims.

Claims 1, 3-6, 8-11, 13-16, and 18-19 are pending. Claims 2, 7, 12, and 17 have been canceled. Claims 1, 3-6, 8-11, 13-16, and 18-19 have been examined. Claims 1, 3-6, 8-11, 13-16, and 18-19 have been rejected.

Response to Arguments

1. Applicant's arguments filed 12/8/2006 regarding U.S.C. 101 rejections of claims 1, 3-6, 8-11, and 13-15, have been fully considered and are persuasive. The U.S.C. 101 rejections of claims 1, 3-6, 8-11, and 13-15, have been withdrawn.
2. Applicant's arguments with respect to claims 1, 6, 11, and 16, see pages 7-11, have been considered but are moot in view of the new ground(s) of rejection. The applicant argues that Maguire et al, hereinafter Maguire, in combination with Kruger et al, hereinafter Kruger, do not teach a method comprising inputting the initial model information into a spread sheet associated with each selected module, or a system comprising a computer configured to store the initial model information into a spreadsheet associated with each selected module. The examiner respectfully disagrees. The applicant's arguments are against the references individually. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.

1986). The applicant also argues that Kruger does not teach inputting initial model information into a database for the selected modules by inputting initial model information into a spreadsheet associated with each selected module, see page 11. Maguire teaches a modular method of modeling a power plant. What is missing in Maguire's teachings is using spreadsheet for entering information associated with each selected module. Kruger teaches a method of inputting initial model information comprises inputting initial model information into a spreadsheet and a system comprising a computer configured to store the initial model information into a spreadsheet (paragraph 0122). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Maguire and Kruger for inputting initial model information into a spreadsheet associated with each selected module since spreadsheet software is capable of generating a plurality of sheets for a document. Kruger's teachings would have facilitated information to be easily added to selected graphs generated by the modeling/simulation program (paragraph 0122). Claims 1, 6, 11, and 16, therefore, remain rejected.

3. Claims 3-6, 8-10, 13-15, and 18-19 are argued allowable because they respectively depend on independent claims 1, 6, 11, and 16. Since claims 1, 6, 11, and 16 remain rejected, claims 3-6, 8-10, 13-15, and 18-19 remain rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-6, 8-11, 13-16, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maguire in view of Kruger et al, herein Kruger, (U.S. Pub. 2003/0063702 A1).

1. As per claim 1, Maguire teaches a modular method of modeling a power plant, the power plant comprising a plurality of major components including at least one of a gas turbine, a heat recovery steam generator, a steam turbine, and a condenser/cooling tower (col. 14, lines 17-22), said method comprising:

selecting a major component module model from a library of component module models for each major component of the power plant, each major component module representing a power plant major component of a unique configuration (col. 14, lines 13-17);

inputting initial model information into a database for the selected modules, the initial model information including at least one of operating parameters, design data, convergence criteria, and a maximum number of passes (col. 5, lines 31-34);

running the modular model by running each selected module and enabling data exchange between the selected modules (col. 9, lines 20-24).

generating a result that indicates the performance of the major components of the power plant (col. 3, lines 36-39);

however, Maguire does not teach inputting the initial model information into a spreadsheet associated with each selected module.

Kruger teaches inputting initial model information comprises inputting initial model information into a spreadsheet (paragraph 0122).

It would have been obvious to one of ordinary skill in the art to combine the teachings of Maguire and Kruger for inputting initial model information into a spreadsheet associated with each selected module. Kruger's teachings would have facilitated information to be easily added to selected graphs generated by the modeling/simulation program (paragraph 0122).

2. As per claim 3, Maguire teaches running the modular model comprises running the modular model by running each selected module in succession and passing the results from a module to the next module in succession (col. 9, lines 20-24).
3. As per claim 4, Maguire teaches running each selected module in succession comprises running each selected module in a predetermined order (col. 9, lines 20-24).
4. As per claim 5, Maguire teaches creating a library of major component module models (col. 14, lines 13-15. In these lines, Maguire teaches providing a list or library of components, which implies that a library has been created).
5. As per claim 6, these limitations have already been discussed in claim 1. They are, therefore, rejected for the same reasons.
6. As per claim 8, these limitations have already been discussed in claim 3. They are, therefore, rejected for the same reasons.
7. As per claim 9, these limitations have already been discussed in claim 4. They are, therefore, rejected for the same reasons.

8. As per claim 10, these limitations have already been discussed in claim 5. They are, therefore, rejected for the same reasons.
9. As per claim 11, these limitations have already been discussed in claim 1. They are, therefore, rejected for the same reasons.
10. As per claim 13, these limitations have already been discussed in claim 3. They are, therefore, rejected for the same reasons.
11. As per claim 14, these limitations have already been discussed in claim 4. They are, therefore, rejected for the same reasons.
12. As per claim 15, these limitations have already been discussed in claim 5. They are, therefore, rejected for the same reasons.
13. As per claim 16, Maguire teaches a power plant modular modeling system comprising a database operationally coupled to computer, said database comprising a library of power plant major component module models, each major component module representing a power plant major component of a unique configuration (col. 2, lines 61-63; col. 5, lines 16-27; col. 14, lines 13-15), said computer configured to:
 - create a power plant model by selecting a major component module model from the library of component module models for each major component of the power plant;
 - link the selected modules together to enable data exchange between modules;

receive initial model information from a user for the selected modules, the initial model information including at least one of operating parameters, design data, convergence criteria, and a maximum number of passes; and

run the modular model by running each selected module including exchanging data between the selected modules.

The limitations above have already been discussed in claim 1. They are, therefore, rejected for the same reasons. However, Maguire does not teach storing the initial model information in a spreadsheet associated with each selected module.

Kruger teaches storing initial model information comprises inputting initial model information into a spreadsheet (paragraph 0122).

It would have been obvious to one of ordinary skill in the art to combine the teachings of Maguire and Kruger for inputting initial model information into a spreadsheet associated with each selected module. Kruger's teachings would have collected data in the field and input to the modeling/simulation program from a spreadsheet for selected module.

14. As per claim 18, these limitations have already been discussed in claim 3. They are, therefore, rejected for the same reasons.

4. As per claim 19, these limitations have already been discussed in claim 4. They are, therefore, rejected for the same reasons.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cuong V. Luu whose telephone number is 571-272-8572. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah, can be reached on 571-272-2279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. An inquiry of a general nature or relating to the status of this application should be directed to the TC2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CVL


KAMINI SHAH
SUPERVISORY PATENT EXAMINER